16. Recruitment of Judicial Officers.

MR. K. M. EIPE (*Nominated*) said that ordinarily Stationary Magistrates were recruited from the clerical ranks of the Secretariat, the Account Office and the Land Revenue Commissioner's office. Although this arrangement had the advantage of attracting young men of talents to the abovesaid offices, it had certain drawbacks from the judicial point of view. The clerks appointed as Magistrates lacked experience in criminal work and found it difficult even to handle records in criminal cases. Law books, law journals and latest law publications received little attention at the hands of these clerks. A resolution had been discussed in the Legislative Council to the effect that at least 50 per cent. of the Magistrates should be recruited from the Bar. A similar resolution had been passed by the conference of lawyers held at Tiruvalla. Future recruitment should be as stated above. This would improve the tone of the administration of criminal justice in the State.

Some of the Munsiffs were recruited from the clerical staff of the High Court. Unlike the clerks of the Secretariat and other offices, the clerks of the Judicial Department, especially those who have served as Bench clerks have the opportunity of handling records in civil cases and listening to arguments of lawyers. But this was not sufficient to make a good judge. Self-reliance, judicial independence and capacity to find out weak points in a case are qualities absolutely necessary for a successful judicial officer. These qualities were found among the lawyers. This did not mean that clerks of the Judicial Department should not be given any chances of promotion. But in their case, at least two years' practice at the Bar should be insisted upon before appointment as Munsiffs. They might be given leave to acquire this experience.

DEWAN'S REPLY: Mr. Eipe, there are many objections to your first suggestion that the recruitment to the Magistracy must be made from the Bar. The main objection is that the Magistracy forms part of the Executive. Another objection is that it would be unfair to the clerks, graduates, already in Government service.

Your other suggestion would, probably, be not workable.

17. Prohibition of selling rubbish tea.

MAJOR E. C. SHERMAN (*South Travancore Planters' Association*) requested the Government to take steps to prevent the sale of adulterated and faked tea which caused much loss to the planters and injury to the public. The Food Adulteration Regulation has been passed but the provisions were inoperative as the rules under the Regulation were not passed. In Madras, the Food Adulteration Act could be applied to any district or local area at the request of the district or local body in the area. The member requested that the Food Adulteration Regulation be made applicable throughout Travancore, as soon as possible, in order to put an end to the sale of rubbish tea.

DEWAN'S REPLY: Major Sherman, the framing of rules under the Food Adulteration Regulation is under the consideration of the Government. If your Association has to make any specific suggestions, they will be considered.

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